

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Scott Kelly Hansen,

Civil No. 11-1548 (RHK/FLN)

Petitioner,

**ORDER**

v.

Jessica Symmes, Warden,

Respondent.

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Based upon the July 26, 2011, Report and Recommendation of United States Magistrate Judge Franklin L. Noel, all the files and records, and no objections having been filed to said Report and Recommendation, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 5) is **ADOPTED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: August 17, 2011

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge